

Title 9 PUBLIC PEACE, MORALS AND WELFARE

Chapters:

9.04 General Provisions

9.08 Offenses By or Against Public Officers and Government

9.12 Offenses Against the Person or Property

9.16 Offenses Against Public Peace and Decency

9.20 Offenses By or Against Minors

9.24 Weapons

Chapter 9.04 GENERAL PROVISIONS

Sections:

9.04.010 West bountiful criminal code.

9.04.020 Jurisdiction of offenses.

9.04.030 State codes adopted.

9.04.010 West bountiful criminal code.

The provisions of this title shall be known as the "West Bountiful criminal code".

Unless otherwise stated, all violations of this chapter are Class B misdemeanors. (Prior code § 7-1-1)

9.04.020 Jurisdiction of offenses.

A. A person is subject to prosecution in this city for an offense which he or she commits, while either within or outside the city, by his or her own conduct or that of another for which he or she is legally accountable, if:

1. The offense is committed either wholly or partly within the city;
2. The conduct outside the city constitutes an attempt to commit an offense within the city;
3. The conduct outside the city constitutes a conspiracy to commit an offense within the city and an act in furtherance of the conspiracy occurs in this city; or
4. The conduct within the city constitutes an attempt, solicitation or conspiracy to commit in another jurisdiction an offense under this code and such other jurisdiction.

B. An offense is committed partly within this city if either the conduct which is an element of the offense, or the result which is such an element, occurs within this city.

C. An offense which is based on an omission to perform a duty imposed by this code or by other ordinances of the city is committed within the city regardless of the location of the offender at the time of the omission. (Prior code § 7-1-2)

9.04.030 State codes adopted.

The following provisions of the Utah Code are adopted as ordinances of the city.

To the extent the city has the authority to punish violations pursuant to UCA 10-8-84, violations of these provisions shall be of the same classification as provided under state law. The following provisions are adopted by reference:

A. Utah Criminal Code;

B. Utah Code of Criminal Procedure;

C. Utah Uniform Act Regulations Traffic on Highways;

D. Provisions of the Utah Motor Vehicle Act (Chapter 1a. Title 41 of the Utah Code) is adopted in its entirety;

E. Provisions of the Financial Responsibility of Motor Vehicle Owners and Operators Act (Chapter 12a of Title 41);

F. Provisions addressing Offenses on School Property (Chapter 3 of Title 53A) as follows: Sections 53A-3-501 through 53A-3-504;

G. The Alcoholic Beverage Control Act (Chapter 12 of Title 32A) as follows: Sections 32A-12-101 through 32A-12-506;

H. The Utah Drug Paraphernalia Act (Chapter 37a of Title 58) in its entirety;

I. The Utah Imitation Controlled Substance Act, to the extent the city has the authority to enforce UCA 58-37b-6.

West Bountiful City adopts the provisions set forth in UCA 58-37b-6 regarding controlled substance violations. (Ord. 264-00 (part); prior code § 7-2-1)

Chapter 9.08 OFFENSES BY OR AGAINST PUBLIC OFFICERS AND GOVERNMENT

Sections:

9.08.010 Resisting a law enforcement official.

9.08.010 Resisting a law enforcement official.

It is unlawful to wilfully:

A. Resist, obstruct or prevent a person recognized to be a law enforcement official from performing any authorized act or duty, or effecting a lawful arrest or detention of such person or another; or

B. Fail or refuse to comply with any lawful order of a person recognized to be a law enforcement official. (Prior code § 7-1-14)

Chapter 9.12 OFFENSES AGAINST THE PERSON OR PROPERTY

Sections:

9.12.010 Battery.

9.12.020 Throwing missiles.

9.12.010 Battery.

It is a misdemeanor for any person to unlawfully use force or violence upon the person of another. (Prior code § 7-1-3)

9.12.020 Throwing missiles.

It is unlawful to wilfully or carelessly throw any stone, stick, snowball or any other missile at any person, window, vehicle or other property, or in such a manner as to frighten or annoy any person. (Prior code § 7-1-4)

Chapter 9.16 OFFENSES AGAINST PUBLIC PEACE AND DECENCY

Sections:

9.16.010 Littering.

9.16.020 Handbills.

9.16.030 Spitting.

9.16.040 False alarms.

9.16.010 Littering.

It is unlawful for any person:

A. To throw, deposit or discard, or to permit to be dropped, thrown, deposited or discarded upon any public road, highway, park, recreation area or other public or private land, or

waterway, any glass bottle, glass, nails, tacks, wire, cans, barbed wire, boards, trash or garbage, paper or paper products, or any other substance which would or could mar or impair the scenic aspect or beauty of such land whether under private, state, county, municipal or federal ownership without the permission of the owner, or person having control or custody of the land;

B. Who is distributing handbills, leaflets, etc., to fail to take whatever measures are reasonably necessary to keep such material from littering streets or public or private property;

C. Driving a vehicle to fail to secure any cargo in such a reasonable manner as will prevent the cargo, or any part of it, from littering or spilling upon streets or public or private property;

D. In charge of a construction or demolition site to fail to take whatever measures are reasonably necessary to prevent the accumulation of litter at the site;

E. Operating a trailer park, drive-in restaurant, gasoline station, shopping center, grocery store, tavern, or public parking lot to fail to maintain sufficient litter receptacles on the premises to accommodate the litter that accumulates there; or

F. To throw or otherwise deposit litter from a vehicle upon any street or upon public or private property. (Prior code § 7-1-6)

9.16.020 Handbills.

It is unlawful for any person, directly or indirectly, to place, attach or distribute any printed matter:

A. On any public street, park or other public place, except to such persons who willingly accept it;

B. Upon any premises where signs against trespassing or advertising are posted;

C. Upon any premises where the owner or occupant thereof has verbally or in writing instructed the person not to do so; or

D. Upon any premises which are temporarily or continuously uninhabited or vacant. (Prior code § 7-1-7)

9.16.030 Spitting.

It is unlawful for any person to expectorate or spit saliva or tobacco on the floor of any public building or upon any person. (Prior code § 7-1-10)

9.16.040 False alarms.

A. Any Person is guilty of emergency reporting abuse if he or she:

1. Intentionally refuses to yield or surrender the use of a party line or a public pay telephone to another person upon being informed that the telephone is needed to report a fire or summon police, medical, or other aid in case of emergency, unless the telephone is likewise being used for an emergency call;

2. Asks for or requests the use of a party line or a public pay telephone on the pretext that an emergency exists, knowing that no emergency exists; or

3. Reports an emergency or causes an emergency to be reported to any public, private or volunteer entity whose purpose is to respond to fire, police or medical emergencies, when the actor knows the reported emergency does not exist.

B. A violation of subsection (A)(1) or (2) is a Class C misdemeanor.

C. A violation of subsection (A)(3) is a Class B misdemeanor. (Ord. 264-00 (part): prior code § 7-7-6)

Chapter 9.20 OFFENSES BY OR AGAINST MINORS

Sections:

9.20.010 Children in vehicles.

9.20.020 Allowing minors at taverns.

9.20.030 Curfew.

9.20.010 Children in vehicles.

It is unlawful for any person, having in his or her care or control a child under six years of age, to at any time lock or confine, or suffer to be locked or confined, or left unattended, even though not locked or confined, such child in any automobile, bus, trailer or other vehicle, upon a public street, public property, or in an area open to the public for parking, for a period of time exceeding ten (10) minutes. A child is unattended under this section if the oldest person with the child is under the age of twelve (12) years. (Prior code § 7-1-5)

9.20.020 Allowing minors at taverns.

A. It is unlawful for any person to operate any beer hall, tavern or lounge in the city where beer is kept or sold for consumption on the premises or consumed, without first making and posting in a conspicuous place a regulation which shall read, "No person under twenty-one (21) years of age permitted in these premises", and enforcing the same.

B. It is unlawful for any person in charge of or employed in such beer hall, tavern or lounge to permit any person under the age of twenty-one (21) years to enter upon or remain in any such premises, or for any person under the age of twenty-one (21) years to enter upon or remain in the premises for any purpose except to make deliveries or carry messages to the proprietor thereof and depart therefrom immediately.

C. The restrictions of this section shall not apply to the presence of minors at restaurants. (Prior code § 7-1-13)

9.20.030 Curfew.

A. Curfew for Minors Under Eighteen.

Except as provided in subsection C of this section, it shall be unlawful for any person under the age of eighteen (18) years to be in or upon any sidewalk, street, alley or public place between the hours of twelve midnight and five a.m. of any day.

B. Parents and Guardians. It is unlawful for any parent, guardian or other person having legal care and custody of any minor, to allow, or permit, or suffer any such minor to go or be in or upon any of the sidewalks, streets, alleys or public places in the county within the times provided in subsection A of this section.

C. Exceptions. The provisions of subsection A of this section shall not apply when any person regulated therein is:

1. Accompanied by an adult having the care and custody of such person;
2. Attending or returning home from a function of any school or church;
3. Attending or returning home from a lawful entertainment, amusement or commercial activity;
4. On an emergency errand or specific business or activity directed by his or her parent, guardian or other adult having custody or care of him or her; or
5. Engaged in legitimate employment which requires his or her presence at the public places during the prohibited hours.

D. Minors Engaged in Employment. No person owning or operating a business, shall permit to be or to remain on the premises where such business is conducted any minor person under the age of eighteen (18) years, between twelve midnight and five a.m., unless in the immediate presence of the parent or other adult person having legal care and custody of the minor, nor shall the owner permit to be or to remain on the premises, between twelve midnight and five a.m., any minor person under eighteen (18) years of age, unless in the immediate presence of the parent or other adult person having legal care and custody of the minor.

This section, however, shall not apply to any minor who is lawfully employed on the premises.

E. Aiding Violations.

1. It is unlawful for any person to assist, aid, abet or encourage any minor to violate the provisions of this section.
2. It is unlawful for any person to use any influence or otherwise to entice or persuade any minor, under the age of eighteen (18) years, from his or her parents, guardians or other persons having charge or custody of such minor without the consent of such parents, guardians or custodians.

F. Penalty. Each violation of this section shall be a Class C misdemeanor. (Prior code § 7-1-11)

Chapter 9.24 WEAPONS

Sections:

9.24.010 Firearms and weapons.

9.24.020 Knives.

9.24.010 Firearms and weapons.

It is unlawful:

- A. To hunt within the city limits of West Bountiful;
- B. To discharge any air gun, BB gun, slingshot, crossbow, or similar contrivance within the city limits; or
- C. To discharge any firearm within the city, or when the projectile will come to rest or is intended to come to rest within the city limits. This shall not apply, however, to peace officers acting within the scope of their duties, or to those acting in reasonable self-defense, or to patrons of a lawfully operated shooting range. (Prior code § 264-00 (part); prior code § 7-1-8)

9.24.020 Knives.

It is unlawful to sell, offer for sale, or expose for sale any spring-blade, snap-blade or similar-type knife. (Prior code § 7-1-9)